

The Gazette



of India

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No. 3] NEW DELHI, SATURDAY, APRIL 22, 1950

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending 18th April 1950:—

S. No.	No. and Date	Issued by	Subject
1	S.R.O. 2, dated the 10th April 1950.	Ministry of Law	C.O. 11—The Constitution (Removal of Difficulties) Order, No. II (Amendment) Order.
2	S.R.O. 7, dated the 13th April 1950.	Ditto.	C.O. 12—The Constitution (Distribution of Revenues) Order, 1950.
3	S.R.O. 8, dated the 15th April 1950.	Ditto.	C. O. 13—The Constitution (Determination of Population) Order, 1950.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within two days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS
NOTIFICATIONS

New Delhi, the 12th April 1950

S. R. O. 9.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President is pleased to direct that the following further amendment shall be made in the Rules published with the notification of the Government of India, in the late Home Department No. F.9/2/33-Ests., dated the 9th January, 1934, namely:—

In the Schedule annexed to the said rules for the entries under the heading "Central Public Works Department" the following entries shall be substituted namely:—

Financial Assistant	Chief Engineer	Chief Engineer	All.
Assistant Superintendent, Horticultural Operations.	Chief Engineer	Chief Engineer	All
Assistant Administrative Officer	Chief Engineer	Chief Engineer	All.
Assistant Architect	Chief Engineer	Chief Engineer	All.
Labour Officers (attached to Circle)	Chief Engineer	Chief Engineer	All.
Labour Officers (Horticultural Operations).	Chief Engineer	Chief Engineer	All.
Labour Rationing Officer	Chief Engineer	Chief Engineer	All.
Assistant Quantity Surveyor	Chief Engineer	Chief Engineer	All.

Medical Officer	Chief Engineer	Chief Engineer	All.
Assistant Engineers.	} Chief Engineer	Chief Engineer	All.
Assistant Engineers (Electrical) &			
Assistant Engineers (Horticulture)			

(No. 7/14/50-Ests.)

S. R. O. 10.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President is pleased to direct that the following further amendment shall be made in the Rules published with the notification of the Government of India, in the late Home Department, No. F.9-19/30-Ests., dated the 27th February, 1932, namely :—

In the Schedule annexed to the said rules, for the sub-head "Central Public Works Department" under the head "Department of Labour" and the entries relating thereto, the following sub-head and entries shall be substituted, namely :—

Central Public Works Department Central Office.

(Office of the Chief Engineer, Central Public Works Department)

Class III Posts.

Superintendent	Chief Engineer	Chief Engineer	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.
Assistant Incharge Assistants]	Chief Engineer	Chief Engineer	All	Ditto.
		Administrative Officer.	(i) and (v)	Chief Engineer.
		Chief Engineer	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.
Upper Division Clerks	Administrative Officer.	Administrative Officer.	All	Chief Engineer.
Lower Division Clerks	Administrative Officer	Administrative Officer.	All	Chief Engineer.
Stenographers	Chief Engineer	Administrative Officer.	(i) and (v)	Chief Engineer.
		Chief Engineer	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.
Chief Draftsman (Architectural)]	Chief Engineer	Administrative Officer.	(i) & (v)	Chief Engineer.
		Chief Engineer	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.
Senior Draftsman (Architectural).	Chief Engineer	Do.		Do.
Junior Draftsman (Architectural).	} Administrative Officer.	Administrative Officer.	All	Chief Engineer
III Grade Draftsman (Architectural).				

Class IV Posts.

Daftries, Jamadars, Cycle boys, P-wallas, Khallasi, Barkandaz Chowkidars, Ferro Printers, Night Guards, Record Sorter, Sweepers.	} Administrative Officer.	Administrative Officer.	All	Chief Engineer.

*Superintending Engineers' Office.**Class III Posts.*

Chief Technical Assistant.	}	Chief Engineer	Superintending Engineer.	(i) & (v)	Chief Engineer.
Chief Estimator			Chief Engineer	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.
Senior Draftsmen (Designing)					
Technical Assistant Estimator, Grade I					

Junior Draftsmen (Designing) Computers.	}	Superintending Engineer.	Superintending Engineer.	All	Chief Engineer.
Estimators Grade II & III					

Officer incharge of Printing.	Chief Engineer.	Superintending Engineer.	(i) & (v)	Chief Engineer.
		Chief Engineer.	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.]

Superintendents	Chief Engineer	Do.	Do.	Do.
Upper Division Clerks	Superintending Engineer.	Superintending Engineer.	All	Chief Engineer.
Lower Division Clerks	Do.	Do.	All	Do.
Stenographers	Do.	Do.	All	Do.

Class IV Posts

Daftries, Jamadars, Peons, Chowkidars, Night Guards, Barkandaz, Farash, Khalaal, Sweepers.	}	Do.	Do.	All.	Do.

*Mechanics Engineers' Office/Electrical Engineers' Office/Superintending Horticultural Operations' Office**Class III Posts*

Head Clerks	Superintending Engineer.	Executive/Electrical Engineer S.H.O. Superintending Engineer	(i) & (v)	Superintending Engineer.
			All	Chief Engineer.
Upper Division Clerks & Lower Division Clerks	Do.	Do.	Do.	Do.
Draftsmen, Tracers and Computers.	Do.	Do.	Do.	Do.
Head Draftsmen	Do.	Do.	Do.	Do.
Section Officers, Civil Horticultural and Electrical	Chief Engineer.	Superintending Engineer	(i) & (v)	Chief Engineer.
		Chief Engineer.	All	Secretary or Joint Secretary, Ministry of Works, Mines and Power.

Class III (Regular) posts

Compounder, Dispenser, Store Clerk, Store Keeper, Assistant Store Keeper, Petrol Inspector, Fire Inspector, Care Taker, Assistant Care Taker.	}	Superintending Engineer.	Executive/Electrical Engineer S.H.O. Superintending Engineer.	(i) & (v)	Superintending Engineer.
				All	Chief Engineer.

Class IV (Regular) Posts

Mistries, Gestonor, Khalasi, Daftries, Peons, Foot Peons, Chowkidars, Farash, Night Guards and Barakanda	Firemen, Operator, Bhisties, Cycle Peons, Farash, Night Guards and Barakanda	Executive/Electrical Engineer S.H.O.	Executive/Electrical Engineer S.H.O.	All	Superintending Engineer.
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(7/14/50-Esta-)

C. B. GULATI Under Secy

New Delhi, the 14th April 1950.

No. S.R.O. 11.—In pursuance of article 221 of, and sub-paragraph (8) of paragraph 10 of Part D of the Second Schedule to, the Constitution, the President is pleased to make the following Rules, namely:—

1. (1) These Rules may be called the High Court Judges (Part A States) Travelling Allowance Rules, 1950.

(2) They shall be deemed to have come into force on the 26th January, 1950.

2. In these rules, unless the context otherwise requires, "Judge" means a Judge of the High Court for any of the States specified in Part A of the First Schedule to the Constitution, and includes a Chief Justice, an acting Chief Justice, and a person requested under article 224 of the Constitution to sit and act as a Judge, of such High Court.

3. (1) When a Judge travels on duty, he is entitled—

- (a) when travelling by railway, to one reserved class I compartment and the fares at lowest class rates actually paid for servants not exceeding four in number;
- (b) when travelling by a steamer service, to one reserved first class cabin, if available, or to the fare actually paid for himself, and the fares at lowest class rates actually paid to the steamer service for servants not exceeding four in number subject to usual deductions on account of messing charges;
- (c) when travelling by a public air transport service, to the fare paid for himself and, if actually paid, the cost of transporting up to two maunds of luggage by rail at passenger rates, or steamer and the railway or steamer fares of the lowest class for servants not exceeding four in number, and the expenditure actually incurred on the transport by road of servants or luggage upto a maximum of 8 annas per mile of that part of the journey by road for which no allowance is claimed under clause (d) of this sub-rule;
- (d) when travelling by road, to an allowance at the rate of Re. 1 per mile;

Provided that no such allowance shall be payable in respect of that portion of a journey by road for which a public air transport service provides its own transport and the fare for which journey is included in the air fare paid under clause (c) for the air journey.

- (e) to a daily allowance at the rate of Rs. 15 for each day on which the Judge is engaged on inspection or other work outside his head quarters; and

(f) to the expenditure, if any, actually incurred on the transport by passenger train or steamer at owner's risk of a motor car, and the fare at lowest class rate actually paid to a railway or steamer service in respect of one driver or cleaner for the car.

(2) If any persons (other than servants) accompany a Judge in a compartment or cabin reserved for him under sub-rule (1), fares shall be payable by him on their account, and the fare so paid shall, if full tariff rates have been paid by Government for the reserved accommodation, be credited to Government.

(3) For the purposes of this rule, a Judge shall be deemed to be travelling on duty when, during a vacation of the High Court, he proceeds from any place in India where he was spending the vacation for the purpose of doing duty in the High Court and returns to such place after completion of such duty.

4. (1) When a Government servant appointed to be a Judge, travels by railway to join his post, he may, at his option and in lieu of drawing travelling allowance under the ordinary rules governing a journey on transfer applicable to him, travel in a reserved class I compartment.

(2) A Government servant availing himself of this concession must pay to Government the fare which he would have paid if no accommodation had been reserved, and must, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When Government pays full tariff rates for the accommodation, all such fares will be credited to Government.

5. When a person not already in Government service is appointed to be a Judge, he may, when travelling by railway to join his post, travel in a reserved class I compartment subject to the conditions prescribed in sub-rule (2) of rule 4.

6. When a Judge—

- (a) proceeds on, or returns from, leave, or
- (b) proceeds on, or returns from, vacation spent outside India, or
- (c) retires from service, or
- (d) proceeds to join another post after resigning office,

he may when travelling in a railway, travel in a reserved class I compartment subject to the conditions prescribed in sub-rule (2) of rule 4.

7. When a Judge is transferred from one High Court to another, or from or to the place of the principal seat of the High Court to or from a place where a Bench of the High Court is permanently located, he is entitled to the expenditure actually incurred by him on his journey by railway or by steamer to the place of sitting of the other High Court for the transport of—

- (a) the Judge himself, by a reserved class I compartment or a reserved first class cabin (if one is available);
- (b) members of his family not travelling in the reserved compartment or cabin, by passenger train or steamer at first class rates;
- (c) personal servants, not exceeding eight in number, by passenger train or steamer at lowest class rates;
- (d) one motor car, by passenger train or steamer at owner's risk; and

- (e) other personal effects, not exceeding the expenditure which would be incurred in the transport of 60 manunds of goods by road and by goods train or steamer, and the expenditure incurred in embarking and disembarking such personal effects.

Explanation:—For the purposes of clause (b) of this rule, members of a Judge's family include only his wife, his children and his step-children, normally residing with and wholly dependent on him.

8. Where by reason of a change in the principal seat of the High Court a Judge changes his ordinary place of residence, he is entitled to the same allowances as on transfer from one High Court to another.

(No. 11/22/49-App't (Sp)/Judl.)

H. V. R. LENGAR, Secy.

New Delhi, the 18th April 1950

No. S.R.O. 12.—In exercise of the powers conferred by section 4 of the Special Criminal Courts (Jurisdiction) Act, 1950 (XVIII of 1950), the Central Government is pleased to direct that the following entry shall be added in the Schedule to the said Act, namely:—

“1950 X The West Bengal Special Courts Act, 1950.”

(No. 16/11/50 Judicial)

E. C. GAYNOR, Dy. Secy

MINISTRY OF LAW

New Delhi, the 18th April 1950

No. S.R.O. 13—In exercise of the powers conferred by clause (5) of article 324 of the Constitution of India, the President is pleased to make the following rules for regulating the conditions of service and tenure of office of Shri S. Sen, I C S, Chief Election Commissioner—

1. The said Chief Election Commissioner shall hold office for a term of five years from the date on which he enters upon his office.

Provided that on the expiry of the said term he shall be eligible for reappointment as Chief Election Commissioner.

2. The said Chief Election Commissioner shall, except during any period of leave, be paid a salary of four thousand rupees per month.

3. The conditions of service of the said Chief Election Commissioner as respects leave of absence, leave salary, travelling allowances and all other matters shall be regulated by the same rules as are applicable to a Secretary to the Government of India who is a member of the Indian Civil Service.

(No. F.66/50-G. A.)

K. V. K. SUNDARAM, Secy.